



**MASSACHUSETTS
WATER POLLUTION ABATEMENT TRUST
Steven Grossman, Chair**

Request for Qualifications to Pre-Qualify Engineering / Environmental Services for Clean Water Needs Survey

January 20, 2012

Contact Person: Jessica Hambleton, MWPAT Procurement Manager

INTRODUCTORY INFORMATION

- 1. Introduction & Purpose.** The Massachusetts Water Pollution Abatement Trust (the “Trust”) is seeking responses to this Request for Responses (“RFR”) from Consulting Engineering Firms (“Firms”) having experience in Massachusetts who are interested in providing engineering services to help identify the clean water (wastewater and stormwater) needs for certain communities across Massachusetts. The Trust intends to prequalify approximately 15 but no more than 20 firms to conduct these surveys.

The Clean Watershed Needs Survey (“CWNS”) is designed to capture the state-wide needs for wastewater, stormwater, and non-point source projects for the next 20 years. To help achieve better results, the Trust has appropriated monies to conduct these needs surveys on behalf of many of the cities and towns (Local Governmental Units, or “LGU”) in Massachusetts.

- 2. The Trust Procuring Authority.** The Trust is not subject to the Commonwealth’s procurement regulations found at 801 CMR § 21.00. But, for purposes of this procurement, the Trust has opted to follow the procurement regulations to the extent that they do not conflict with the Trust enabling legislation, the federal statutes and regulations to which the Trust is subject, or other applicable law. Therefore, unless such a conflict arises, the Trust will conduct itself as a “procuring department” as that term is used in 801 CMR 21.00.
- 3. This Solicitation and Future Selection.** The Trust has elected to use this form of procurement to pre-qualify approximately 15 but no more than 20 firms to conduct CWNSs in communities across Massachusetts on a “rolling” basis (the Trust will commission certain needs surveys at a time, and once those surveys are completed, it will commission additional surveys). As such, many of the pre-qualified firms may be assigned multiple surveys.

After this solicitation, the Trust will identify the LGUs that will be targeted for the surveys (consulting services). These will typically be communities that have extensive existing or proposed wastewater collection and treatment systems that will result in more projects being identified for the survey.

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The Trust envisions that after the pre-qualification of Firms, it will offer the list of pre-qualified firms to LGU's (cities and towns across MA) from which LGU's may select one firm, or may elect to solicit additional information from a number of firms, and on that basis elect one firm. At such subsequent selection, LGU's will only be able to select from the list of firms pre-qualified as part of this solicitation. It is anticipated that LGU's will elect a consultant that is familiar with the type of wastewater system(s) they operate.

The Trust may or may not elect to open the pre-qualification process at a future time, to allow for additional firms to be pre-qualified, or to conduct a new pre-qualification process altogether. This prequalification will be effective for the duration of the CWNS, which is expected to be complete no later than June 2013.

- 4. Scope of Work.** Firms selected as part of this procurement will be asked to visit and inspect the wastewater systems and equipment in a given city or town, conduct inquiries and interviews with personnel from public works and other municipal employees, as well as other town entities, and review other relevant plans and documentation to ascertain and document the clean water and stormwater capital needs for the targeted LGU.
- 5. Commonwealth Terms and Conditions.** The Trust requires that firms review and execute the Commonwealth Terms and Conditions. The Trust anticipates that it will enter into contracts with each firm that has been selected as part of this pre-qualification process, and then enter into a "work order" as part of that contract for each of the selected LGUs that elect such firms to conduct the Needs Survey.
- 6. Forum and Choice of Law.** Unless otherwise agreed to in writing by the Trust and authorized by Massachusetts law, any actions arising out of a contract pursuant to this RFR shall be governed by the laws of the Commonwealth of Massachusetts and shall be brought and maintained in the Massachusetts Superior Court in Suffolk County, Massachusetts, which shall have exclusive jurisdiction thereof.
- 7. Fees for Services.** In consideration for the services that firms will be asked to perform, the Trust has stipulated the following fee structure:
 - \$3,000 per survey, when conducting a survey in a City or Town where no survey has been performed in 5 years or more
 - \$1,500 per survey, when conducting a survey in a City or Town where a survey has been performed in less than 5 years, and which is being updated to reflect changes since that time.

The Trust anticipates that 50% of the fees will be paid upon submittal of the survey, and the remaining 50% of the fees upon successful submission of the report, review and sign-off of staff from the Department of Environmental Protection (DEP) who is assigned to the Trust. No additional costs (i.e., administrative, printing, copying, travel, etc.) will be covered for these surveys.

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Respondents are advised that the surveys must comply with the guidelines that the Environmental Protection Agency (“EPA”) has established for this survey, which include guidelines for surveying and reporting. These guidelines can be found at:

<http://water.epa.gov/scitech/datait/databases/cwns/plan.cfm>

The Trust anticipates that the pre-qualified firms will be required to attend a training on the survey compilation and reporting and/or review a webinar that will explain the above guidelines. Said training and webinar will be offered free of charge by staff at the Trust and/or the MA Department of Environmental Protection.

- 8. Questions.** Questions related to this RFR must be emailed to Jessica Hambleton at: jhambleton@tre.state.ma.us, no later than February 2, 2012. Answers to questions will be emailed to all prospective respondents who submit a question by February 6, 2012.

RESPONSE GUIDELINES

- 9. Response Submission: Responses to this RFR are due by 4:00 p.m., February 17, 2012.**

An unbound, original signed copy (suitable for photocopying), and three copies of the response must be hand-delivered or mailed to arrive at the Trust no later than February 17, 2012, as follows:

Massachusetts Water Pollution Abatement Trust
3 Center Plaza, Suite 430
Boston, Massachusetts, 02108
Attention: Jessica Hambleton

- 10. Response Requirements.** To be considered complete, a response to this RFR must include a response to each question below (sections 14 through 18), limited to seven pages in font no smaller than 12 pt. Detailed resumes, case studies, or additional information about the firm is not required, but may be submitted as an appendix to the response, and will not count towards the seven page limit. A cover letter does not count towards the seven page limit. In addition, firms are requested to submit all standard forms (listed in section 19) as attachments to their response.
- 11. Conference Call with Prospective Respondents.** Prospective respondents may dial into a conference call that the Trust will hold on the date and time stipulated in section 13 below. The conference call number is 1-866-740-1260 and the passcode will be 3679333. Prospective respondents may ask questions at that time, and all questions and answers (including those received separately in writing) will be posted as per the calendar in section 13 below. During this call the Trust will explain the general procedures and goals of the procurement. Participation in the call is neither mandatory nor necessary in order to successfully submit a response to this solicitation.

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- 12. Trust's Evaluation of Responses.** The Trust will pre-qualify firms on the basis of (a) their individual and collective technical expertise and knowledge of the tasks at hand, (b) demonstrated experience doing similar work throughout communities in Massachusetts, and (c) the ability of a Firm to get up to speed and perform the scope of work.

The Trust reserves the right to ask pre-qualifying firms for additional information that it may deem relevant to the evaluation and/or to ask certain or all firms responding to this solicitation to make an oral presentation.

13. Procurement Calendar.

The following is the tentative time schedule for the Trust qualification of engineering firms.. All dates are subject to modification by the Trust with notice.

Issuance of RFR: January 20, 2012

Conference Call with Prospective Respondents: 10:00 a.m. February 2, 2012

Question Deadline: 4:00 p.m. February 2, 2012

Question Response Deadline: February 6, 2012

RFR Response Deadline: February 17, 2012

Approximate Qualifications Award Date: March 7, 2012

QUESTIONS

- 14. Personnel.** Please identify the personnel who will be involved in providing engineering and environmental services to the Trust for the CWNS. Please identify the partner, principal or member of the Firm who will have primary responsibility for this engagement(s). Also identify any other partners, associates, or consultants who will be a part of your team. Please provide a brief description of the relevant experience of each individual including education, knowledge, and technical abilities, the role in which each will serve their title, and office location.
- 15. Experience.** Please provide a list of projects for cities and towns for similar studies or related engineering and/or environmental work since January 1, 2009, for which your Firm served as an engineering consultant, and in which staff members identified above participated.
- 16. References.** The Trust requests three references pertinent to the work being performed from Firms responding to this RFR.

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- 17. Value-Added.** How would you distinguish yourself from your competitors in providing engineering consulting services?
- 18. Commencement of the Engagement.** What steps would you need to take to commence your engagement as engineering or environmental consultant to the Trust for the CWNS? Please be specific as to the tasks you will have to undertake, the time-frame for completing those tasks, and the preparation of personnel for those tasks.
- 19. Standard Forms.** Firms are requested to submit the following forms (available via download in Comm-Pass) as part of their response. Completion of the standard forms will ensure efficient payment for services rendered. The standard forms are:
- 19.1. Commonwealth Terms and Conditions
 - 19.2. Standard Contract Form and Instructions
 - 19.3. W-9 Taxpayer Identification Number and Certification
 - 19.4. Contractor Authorized Signatory and Verification Form
 - 19.5. Certificate of Non-Collusion
 - 19.6. EFT Form

SPECIFICATIONS

- 20. Respondent Communication.** Any individuals and/or firms that intend to submit a response are prohibited from contacting any employee of the Office of the State Treasurer and Receiver General or any member of the Procurement Management Team (PMT), other than the contact person, with the exception of the conference call with prospective respondents. Failure to observe this rule will result in disqualification. Furthermore, no other individual Commonwealth employee or representative is authorized to provide any information or respond to any question or inquiry concerning this RFR. Respondents should notify in writing the contact person for this RFR in the event it is incomplete or the respondent is having trouble obtaining any required attachments electronically through Comm-PASS.
- 21. Environmental Response Submission Compliance.** In an effort to promote greater use of recycled and environmentally preferable products and minimize waste, all responses submitted should (1) be printed doubled sided, (2) be comprised of recycled paper or other materials, (3) minimize or eliminate use of non-recyclable or non-reusable materials, (4) be submitted in a format and using materials that allow for easy removal and recycling of paper and other materials, and (5) not include unnecessary samples, attachments, or documents not specifically asked for in the RFR.

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- 22. Reasonable Accommodation.** Respondents with disabilities or hardships that seek reasonable accommodation, which may include the receipt of RFR information in an alternative format, must communicate such requests in writing to the contact person. Requests for accommodation will be addressed on a case-by-case basis. A respondent requesting accommodation must submit a written statement, which describes the respondent's disability and the requested accommodation to the contact person for the RFR. The Procurement Management Team (PMT) reserves the right to reject unreasonable requests.
- 23. Public Records.** All responses and information submitted in response to this RFR are subject to the Massachusetts Public Records Law, Massachusetts General Laws (M.G.L.), Chapter 66, Section 10, and Chapter 4, Section 7, Clause Twenty-Sixth. Any statements in submitted responses that are inconsistent with these statutes will be disregarded.
- 24. Submission of Proposal Materials and Oral Presentation.** All materials, representations and submissions made within the proposal and at the oral presentation are subject to becoming part of the contract binding the selected respondent to uphold the materials, representations and submissions made by the selected respondent within the proposal and any oral presentations.
- 25. Conflict of Interest.** Prior to award of any contract and/or qualification, the respondent shall certify in writing to the procuring agency that no relationship exists between the respondent and the procuring or contracting agency that interferes with fair competition or is a conflict of interest, and no relationship exists between the respondent and another person or organization that constitutes a conflict of interest with respect to a state contract. The Office of the State Treasurer and Receiver General may waive this provision, in writing, if these activities of the respondent will not be adverse to the interests of the Commonwealth. No official or employee of the Commonwealth who exercises any function or responsibility in the review or approval of the undertaking or carrying out of this project shall, prior to the completion of the project, voluntarily acquire any personal interest, either directly or indirectly, in this contract or proposed contract.
- The respondent shall provide assurance that it presently has no interest and shall not acquire any interest, either directly or indirectly, which will conflict in any manner or degree with the performance of its services hereunder. The respondent shall also provide assurances that no person having any such known interests shall be employed during the performance of this contract.
- 26. Restriction on the Use of the Commonwealth Seal.** Respondents are not allowed to display the Commonwealth of Massachusetts Seal in their response or in any subsequent marketing materials if they are awarded a contract. Use of the coat of arms and the Great Seal of the Commonwealth for advertising or commercial purposes is prohibited by law.
- 27. Costs.** The Commonwealth will not be responsible for any costs or expenses incurred by respondents responding to this RFR.

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- 28. Comm-PASS.** This RFR has been distributed electronically using the Comm-PASS system, RFR Attachments that are referenced are available either as separate files along with the RFR, or in the Comm-PASS Forms and Terms section: www.comm-pass.com. Respondents are solely responsible for obtaining and completing required attachments that are identified in this RFR and for checking Comm-PASS for any addenda or modifications that are subsequently made to this RFR or attachments. The Commonwealth and the Office of the State Treasurer and Receiver General accept no liability and will provide no accommodation to respondents who fail to check for amended RFRs and submit inadequate or incorrect responses.
- 29. Permits and Compliance.** Respondents who are subsequently awarded a contract (“contractor”) shall procure and pay for all permits, licenses and approvals necessary to perform the services solicited in this RFR. The contractor shall comply with all applicable laws, ordinances, rules, orders and regulations related to the performance of the services solicited.

The procurement management team reserves the right to modify, amend or cancel the terms of this RFR at any time.